

Written Testimony of David Gable,
President of Hocon Gas, Inc.,
Chairman of the Connecticut Legislative Committee of the
Propane Gas Association of New England
past President of the Propane Gas Association of New England
before the Energy and Technology Committee

Re: Raised Bill No. 465
March 18, 2010

Senator Fonfara, Representative Nardello and Distinguished Members of the Energy and Technology Committee, My name is David Gable. I am the President of Hocon Gas, Inc., a company I took over from my dad, who began the business in 1952. Hocon presently serves some 35,000 propane consumers from operations in Danbury, Guilford, Norwalk, Torrington and Waterbury with 120 full-time employees.

As a propane distributor, our primary focus has been, is and will continue to be on the safe handling of the product we bring to market.

In 1996 a leadership group of Connecticut propane marketers and former State Fire Marshall Henry Renfrew met to create additional public safety regulations for Connecticut which, in some instances went beyond national industry standards. The adoption by the Department of Public Safety of the Connecticut Liquefied Petroleum Gas and Liquefied Natural Gas Code addressed many changes, reflecting a growing and more sophisticated propane industry.

One component of those Regulations, Section 4-2.2.1 specified that, "cylinders or tanks shall be filled, evacuated, disconnected or transported and regulator(s) disconnected only by the owner or upon owner's authorization." (relevant section attached). These regulations were adopted in 1997 to provide a safer operating framework in which the Connecticut propane industry operates today.

Unlike the natural gas industry which has no implied liability beyond the outlet of the gas meter, the propane marketer is tasked with the responsibility and liability of the entire propane system right to the burner tip.

Because Raised Bill No. 465 disengages the ownership of the propane tank(s) and their supply, it raises serious safety and liability concerns for our industry going forward. The language of this bill would permit any company to fill my tank(s) and service the gas system, but I would still be liable because these tanks remain our company property. I don't like "my odds" under this arrangement. This makes me uncomfortable since it would undoubtedly impair our ability to purchase liability insurance and could potentially destroy the value of our assets and the company we have built.

I would be happy to answer any questions you may have.

Thank you,

David Gable

STATE OF CONNECTICUT
REGULATION
 of

NAME OF AGENCY

DEPARTMENT OF PUBLIC SAFETY

Concerning

SUBJECT MATTER OF REGULATIONS

CONNECTICUT
 LIQUEFIED PETROLEUM GAS AND
 LIQUEFIED NATURAL GAS CODE

Each warning sign shall be at least 3 feet above adjacent ground level and identify the fuel in English in letters at least 3 1/2 inches in height with a contrasting margin. The name of the fuel shall not be abbreviated. The contrasting margin shall be at least 2 inches from said letters. The warning signs shall be marked as follows:

- (a) "Liquefied Petroleum Gas" or "LIQUEFIED PETROLEUM GAS" or "Propane" or "PROPANE," shall be centered in black letters with a yellow background.
- (b) "Compressed Natural Gas" or "COMPRESSED NATURAL GAS," shall appear in black letters with a yellow background.
- (c) "Liquefied Natural Gas" or "LIQUEFIED NATURAL GAS," shall appear in black letters with a yellow background.
- (d) The common name of a flammable liquid, such as "Gasoline" or "GASOLINE," shall appear in white letters with a red background.
- (e) The common name of a combustible liquid, such as "Diesel Fuel" or "DIESEL FUEL" or "Kerosene" or "KEROSENE," shall appear in white letters with a green background.

(Add) 3-10.4 Written Emergency Plans.

The fire safety analysis referred to in Section 3-10.2.3 and the special fire protection provisions of Section 3-10.3, if required at the facility, shall be incorporated into a facility emergency plan which shall be in writing and amended as required every two years. Written documentation of the current emergency plan shall be maintained at the facility and shall be provided upon written request to the local fire marshal and emergency response agencies.

CHAPTER 4 LP-GAS LIQUID TRANSFER

- (Amd) 4-2.2 Cylinders or Tanks to be Filled, Evacuated, Disconnected or Transported and Disconnecting Regulator(s).



STATE OF CONNECTICUT
REGULATION
of

Page 11 of 15 pages

NAME OF AGENCY

DEPARTMENT OF PUBLIC SAFETY

Concerning

SUBJECT MATTER OF REGULATIONS

CONNECTICUT
LIQUEFIED PETROLEUM GAS AND
LIQUEFIED NATURAL GAS CODE

(Amd)

→ 4-2.2.1 Cylinders or tanks shall be filled, evacuated, disconnected or transported and regulator(s) disconnected only by the owner or upon the owner's authorization. At consumer premises where the fixed container is owned by the LP Gas supplier, no person other than the owner and those authorized by the owner shall connect or disconnect any cylinder or tank or regulator(s) containing liquefied petroleum gas, whether in the liquid or vapor state unless the following requirements are met:

- (a) Sufficient notice shall be given to the LP-Gas supplier to disconnect and remove its cylinder or tank or regulator(s) prior to the installation of another cylinder or tank by the person, firm, corporation or LP-Gas supplier requesting the disconnection. Sufficient notice shall be in writing received by the LP-Gas supplier or owner a minimum of four business days prior to the scheduled disconnection on the fourth day. Written notice shall include the person, firm, corporation or LP-Gas supplier requesting the disconnection, the address and name of the consumer, and the scheduled date and time of disconnection. Disconnection by the owner or the owner's authorized agent shall be coordinated so as not to cause an interruption of service greater than the time required to disconnect the notified supplier's equipment and reconnect the replacement equipment of the notifying owner, unless the user authorizes an extended interruption of service to the notified supplier.
- (b) After providing sufficient notice, the person, firm, corporation or LP-Gas supplier requesting disconnection or transportation may then disconnect the LP-Gas supplier-owned cylinder(s), tank(s) or regulator(s) downstream of a meter or upstream of a non-LP-Gas supplier or downstream of a regulator(s) owned by the LP-Gas supplier if connected to the gas stream, in a manner that renders the cylinder or tank free of leaks, with valves turned off and all openings plugged, and move on the consumer premises the cylinder(s) or tank(s), whether empty or full, to a safe location meeting the separation distance requirements between tanks and cylinders in Table 3-2.2.2.

STATE OF CONNECTICUT
REGULATION

of
NAME OF AGENCY
DEPARTMENT OF PUBLIC SAFETY
Concerning
SUBJECT MATTER OF REGULATIONS
CONNECTICUT
LIQUEFIED PETROLEUM GAS AND
LIQUEFIED NATURAL GAS CODE

- (c) No person, firm or corporation, other than the owner and those authorized to do so, shall transport or carry by any means of conveyance whatsoever over public highways and roads, any cylinder or tank containing liquefied petroleum gas, whether in the liquid or vapor state.
- (d) The owner of the cylinder or tank shall remove the disconnected cylinder, tank or regulator(s) from the consumer premises within 15 business days after the actual date and time of disconnection.
- (e) If the person, firm, corporation or LP-Gas supplier who requested disconnection does not disconnect the cylinder(s), tank(s) or regulator(s) on the day of the scheduled disconnection, the person, firm, corporation or LP-Gas supplier shall be required to reschedule the disconnection giving sufficient notice to the owner of the cylinder(s), tank(s) or regulator(s) as described in Section 4-2.2.1(a).
- (f) In the event of an emergency such as the need for domestic heating during extreme cold weather conditions, leak or fire involving a cylinder, tank or regulator(s), an LP-Gas supplier is authorized to disconnect or evacuate the cylinder or tank at the direction of a public emergency response agency such as the fire department.

(Amd) 4-3.3 Emergency Venting.

When conditions at any location indicate the need for emergency venting of LP-Gas into the environment, the local fire department within that jurisdiction or a regional fire dispatching facility shall be notified prior to any emergency venting activities.

(Amd) CHAPTER 5 STORAGE OF PORTABLE CONTAINERS
AWAITING USE, RESALE OR EXCHANGE

(Amd) 5-4.1 Location of Storage Outside of Buildings.

Storage outside of buildings for containers awaiting use, resale or part of a cylinder exchange point shall be located at least 10 feet from any doorway or opening in a building frequented by the public; 20 feet from any

STATE OF CONNECTICUT
REGULATION

Page 14 of 15 pages

of

NAME OF AGENCY

DEPARTMENT OF PUBLIC SAFETY

Concerning

SUBJECT MATTER OF REGULATIONS

CONNECTICUT
LIQUEFIED PETROLEUM GAS AND
LIQUEFIED NATURAL GAS CODE

Note: See Section 3-8 for systems on vehicles for purposes other than engine fuel.

Section 2: Sections 29-72-1 through 29-72-1a, inclusive, are repealed.

Statement of Purpose: To update regulations for the safe storage, handling and transportation of LP-Gas, and security at LP-GAS and LNG facilities. The regulations are intended to promote public safety by providing guidelines for the prevention of damage to property and injury to life and protection from hazards incident to the storage, use and transportation of such gas, with particular reference to the design, construction, location and operation of LP-Gas installations as required by Section 29-331 of the Connecticut General Statutes.